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Docket No. 003252-052961

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: George Brainard

Serial No.: 09/853,428

Group: 1614

Filed: May 10, 2001

Examiner: To be assigned

For: PHOTORECEPTOR SYSTEM FOR MELATONIN REGULATION AND  
PHOTOTHERAPY

Assistant Commissioner for Patents  
Washington, D.C. 20231

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CERTIFICATE OF MAILING

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Date: 10/29/02

Melissa Kruggel  
Melissa Kruggel

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith submit the publications and/or patents shown on the attached form PTO-1449, for consideration by the Examiner in connection with the examination of the above-identified patent application.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- X (1) within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits; or
- (2) within three months of the mailing date of the PCT International Search Report; or
- (3) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and the requisite Certification or fee under Rule 1.17(p), namely \$240.00, is included herein; or

- (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

  X   are enclosed herewith; and  
\_\_\_\_\_ have been cited in the parent application, and are thus not being resubmitted herein.

A copy of the International Search Report from its corresponding PCT application, PCT/US01/15272, is also enclosed herewith.

Early examination and allowance of the present application are respectfully solicited.

#### FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850 or 14-1138. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



David S. Resnick (Reg. 34,235)  
NIXON PEABODY LLP  
101 Federal Street  
Boston, MA 02110  
(617) 345-6057

Date: 10/29/02

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PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Transmittal Form (PTO/SB/21)(1 pg)  
Information Disclosure Statement with attached Form PTO-1449 (3 pp)  
References marked AA through AE and BA through BB  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/853,428	
	Filing Date	May 10, 2001	
	First Named Inventor	George Brainard	
	Group Art Unit	1614	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	003252-052961

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449; References AA through AE and BA through BB; Certificate of Mailing; Return Receipt Postcard.
<b>Remarks</b> The Commissioner is authorized to charge fee deficiencies to the NIXON PEABODY LLP deposit account 50-0850.		

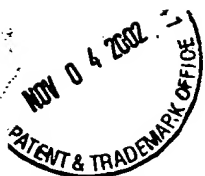
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David S. Resnick (Reg.No. 34,235) NIXON PEABODY LLP, 101 Federal Street, Boston, MA 02110
Signature	
Date	10/29/02

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<b>FORM PTO-1449</b> <b>INFORMATION DISCLOSURE</b> <b>STATEMENT</b>	<b>DOCKET NO.:</b> 052961	<b>SERIAL NO.:</b> 09/853,428
	<b>APPLICANT(S):</b> George Brainard	
	<b>FILING DATE:</b> 5/10/01	<b>GROUP NO.:</b> 1614

**UNITED STATES PATENT DOCUMENTS**

EXAM. INITIALS		DOCUMENT NUMBER	DATE	INVENTOR/ASSIGNEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,447,527	9/5/1995	Waldman		RECEIVED	
	AB	5,824,024	10/20/1998	Dial		NOV 12 2002	
	AC	5,855,595	1/5/1999	Fujishima et al.		TECHNOLOGY CENTER R3700	
	AD	5,170,035	12/8/1992	Webster et al.			
	AE	5,235,178	8/10/1993	Hegy			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	BA	29713395	12/3/1998	DE			
	BB	2666991	3/27/1992	FR			

**OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)**


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